

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

MICHAEL HOWARD HUNTER,

Plaintiff,

NO. CV-09-324-CI

vs.

**ORDER DISMISSING COMPLAINT WITHOUT  
PREJUDICE**

PATRICK A. JOHNSON, LARRY STEINMETZ, OZZIE KNEZOVICH, HAL WILSON, RYAN GOLDEN, KARI REARDON, ELLEN K. CLARK, NIEL KORBUS, JEROMY TAYLOR and ANDREA L. UTGORD-BORG,

## Defendants.

By Order filed December 21, 2009, the Court denied Mr. Hunter's application to proceed *in forma pauperis* under 28 U.S.C. § 1915(g), and granted him twenty (20) days to pay the \$350.00 filing fee. Plaintiff had initiated this action while a prisoner at the Spokane County Jail. Court records indicated he had filed three or more cases while incarcerated that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Plaintiff did not allege facts in his complaint showing he was in imminent danger of serious physical injury.

Plaintiff did not comply with the Court's directive and has filed

1 nothing further in this action. Therefore, **IT IS ORDERED** the complaint  
2 is **DISMISSED without prejudice** for failure to pay the filing fee as  
3 required by 28 U.S.C. §§ 1914 and 1915.

4 **IT IS SO ORDERED.** The District Court Executive shall enter this  
5 Order, enter judgment and forward copies to Plaintiff. The Court finds  
6 any appeal of this decision would not be taken in good faith.

7 **DATED** this 15<sup>th</sup> day of January 2010.

8  
9                       s/Edward F. Shea  
10                       EDWARD F. SHEA  
11                       UNITED STATES DISTRICT JUDGE

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